IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2954 OF 2005

Canara Bank .. ..Petitioners
Versus
Municipal Corporation of Gr. Bombay and Ors. .. ..Respondents

Mr.A.C.Jaykar i/b M/s. Khaitan and Jaykar for petitioners

Mrs. A.R.Joshi for respondent-BMC

CORAM : P.V.KAKADE, J.

DATE : 21ST DECEMBER, 2005

P.C.:

1. Leave to amend by substituting the words "Lessees" in paragraph 5(a) to "Licensees".

2. Rule.

3. As an interim measure, the petitioners will have to pay the arrears, if not paid and continue to pay on the basis of the original undisputed ratable value pending the hearing and final disposal of the petition.

4. Considering the order passed in Notice of Motion No.3702 of 2004 in Appeal No.801 of 2004, the parties will comply with the following directions :

(i) Respondent nos.1 to 3 shall not take any steps to recover the amounts on the basis of the revised enhanced assessment until the disposal of Writ Petition No.2585 of 2004, if the Petitioners herein file an Undertaking in this Court within four weeks from today, that in the event of the Writ Petition being dismissed and the revised enhanced assessment is sustained, they would pay to Respondent Nos.1 to 3 as per revised enhanced assessment or such other orders that may be made by the Court, within three months of the decision of the Writ Petition unless otherwise ordered in Appeal that is filed against the said order.

5. Respondents waive service.